

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE
ATTACHED EXHIBIT:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibit A and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in these actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/ Barbara R. Binis

Barbara R. Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg

Erik W. Legg
FARRELL WHITE & LEGG
P. O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
EWL@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Michael Brandon Smith

Michael Brandon Smith

CHILDERS SCHLUETER & SMITH

Suite 100

1932 North Druid Hills Road

Atlanta, GA 30319

404.419.9500 (phone)

404.419.9501 (fax)

bsmith@cssfirm.com

Attorney for Plaintiffs on Exhibit A

Dated: July 14, 2016

EXHIBIT A – CHILDERS SCHLUETER & SMITH

| CIVIL ACTION NUMBER (listed numerically in ascending order) | CASE NAME |
|--|--|
| 2:12-CV-07418 | Deborah Davis v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc. |
| 2:13-CV-00122 | Diane Schroeder, Richard Schroeder v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc. |
| 2:13-CV-03961 | Carol Pfeiffer, James Pfeiffer v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc. |

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis